

# **SUPERIOR COURT OF CALIFORNIA**

County of San Diego

DATE: September 1, 2006      DEPT. 71      REPORTER A: Peter Stewart      CSR# 3184

PRESENT HON. RONALD S. PRAGER      REPORTER B:      CSR#

JUDGE

CLERK: K. Sandoval

BAILIFF: L. Wilks

REPORTER'S ADDRESS: P.O. BOX 120128

SAN DIEGO, CA 92112-4104

---

## **ORAL ARGUMENT-PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENTS IN RE: JCCP 4221/4224/4226&4428 – Natural Gas Anti-Trust Cases (Price Indexing)**

The attached Court's ruling regarding PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENTS applies to all cases listed as follows:

4221-00020	UYEDA vs CENTERPOINT ENERGY INC
4221-00021	BENSCHIEDT vs AEP ENERGY SERVICES INC
4221-00022	COUNTY OF SANTA CLARA vs SEMPRA ENERGY
4221-00023	CITY AND COUNTY OF SAN FRANCISCO vs SEMPRA ENERGY
4221-00024	COUNTY OF SAN DIEGO vs SEMPRA ENERGY
4221-00025	OLDER vs SEMPRA ENERGY
4221-00026	CITY OF SAN DIEGO vs SEMPRA ENERGY
4221-00027	TAMCO vs DYNEGY INC
4221-00028	A L GILBERT COMPANY vs CORAL ENERGY RESOURCES LP
4221-00029	OBERTI WHOLESALE FOOD INC vs ENCANA ENERGY SERVICES INC
4221-00030	BROWN vs ENCANA ENERGY SERVICES INC
4221-00031	LOIS THE PIE QUEEN vs ENCANA ENERGY SERVICES INC
4221-00032	VITTICE CORPORATION vs ENCANA CORPORATION
4221-00033	COUNTY OF ALAMEDA vs SEMPRA ENERGY
4221-00034	THE REGENTS OF THE UNIVERSITY OF CALIFORNIA vs RELIANT ENERGY SERVICES INC
4221-00035	SCHOOL PROJECT FOR UTILITY RATE REDUCTION vs SEMPRA ENERGY
4221-00036	ASSOCIATION OF BAY AREA GOVERNMENTS vs SEMPRA ENERGY
4221-00037	OWENS-BROCKWAY GLASS CONTAINER INC vs SEMPRA ENERGY
4221-00038	TEAM DESIGN DBA TIMOTHY ENGELN INC vs RELIANT ENERGY INC
4221-00039	CITY OF LOS ANGELES DEPARTMENT OF WATER AND POWER vs RELIANT ENERGY SERVICES INC
4221-00040	SACRAMENTO MUNICIPAL UTILITY DISTRICT vs RELIANT ENERGY SERVICES INC
4221-00041	SHANGHAI 1930 RESTAURANT PARTNERS LP vs ENCANA ENERGY SERVICES INC
4221-00042	PODESTA vs ENCANA ENERGY SERVICES INC
4221-00043	NURSERYMAN'S EXCHANGE OF HALF MOON BAY vs SEMPRA ENERGY

**JCCP 4221-INDEXING**

**4221-00042      PODESTA vs ENCANA ENERGY SERVICES INC**  
**4221-00043      NURSERYMAN'S EXCHANGE OF HALF MOON BAY vs SEMPRA ENERGY**  
**4221-00044      COUNTY OF SAN MATEO vs SEMPRA ENERGY**  
**4221-00045      BUSTAMANTE vs WILLIAMS ENERGY SERVICES**  
**4221-00046      PABCO BUILDING PRODUCTS vs DYNEGY INC**  
**4221-00047      BOARD OF TRUSTEES OF THE CALIFORNIA STATE UNIVERSITY vs DYNEGY INC**

**10:20 a.m. This being the time previously set for ORAL ARGUMENT in the above entitled cause Court convenes with counsel as noted on Exhibit "A" which is attached hereto and incorporated herein as though set forth in full.**

**Barry Himmelstein personally appears for the Plaintiffs. There being no opposition the Court confirms its tentative ruling.**

**The Court signs the proposed order which is attached hereto and incorporated herein. Attorney Himmelstein informs the Court that paragraph 22 of the proposed order was added at the request of the Defendants and the Court reads it into the record.**

**Attorney Himmelstein further informs the Court that paragraph 15 of the attached order is in addition to the requests the Court earlier made. The Court also reads that paragraph into the record.**

**10:30 a.m. Court is adjourned in this matter.**